

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Miska, Stanley R.	Atty. Docket:	85917.000318
Serial No.:	10/044,053	Examiner:	CHANG, RICK KILTAE
Filed:	January 11, 2002	Art Unit:	3729
Title:	METHOD FOR MAKING AN ABRASION RESISTANT CONDUCTIVE FILM AND GASKET (as amended)		

REQUEST FOR CORRECTION OF TITLE AS AMENDED

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: Office of Publication

Sir:

In an Amendment dated February 24, 2004, applicant's attorney requested that the title of the above application be amended from ABRASION RESISTANT CONDUCTIVE FILM AND GASKET to --METHOD FOR MAKING AN ABRASION RESISTANT CONDUCTIVE FILM AND GASKET--. However, the amended title does not appear on the Notice of Allowance. Applicant's attorney requests that the title be changed prior to the printing of the issued patent. Copies of pages 1 and 2 of the Amendment are enclosed.

For any questions on this, please contact applicant's attorney.

Respectfully submitted,

A handwritten signature in black ink, reading "Donna P. Suchy", is written over a horizontal line. The signature is fluid and cursive, with the first name "Donna" being the most prominent.

Donna P. Suchy, Registration No. 47,979

HARTER, SECREST & EMERY LLP

1600 Bausch & Lomb Place

Rochester, New York 14604

Telephone: 585-232-6500

Fax: 585-232-2152

Dated: January 31, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schlegel Systems, Inc. Examiner: Chang, Rick Kiltae
Serial No. 10/044,053 Art Unit: 3729
Filed: January 11, 2002
Title: ABRASION RESISTANT CONDUCTIVE FILM AND GASKET

AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action dated February 4, 2004, please amend the above-identified Application as follows:

In the Title:

Amend the title to read: METHOD FOR MAKING AN ABRASION RESISTANT CONDUCTIVE FILM AND GASKET.

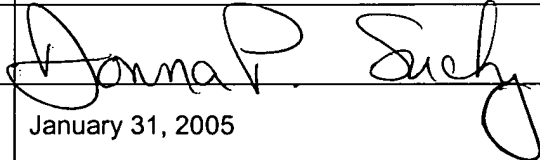
In the Written Description:

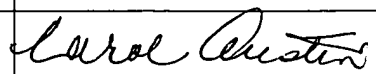
[02] The present invention relates to ~~an~~ a method for making an abrasion resistant conductive film and more particularly to such a film having utility as a component of a conductive gasket for electrical apparatus to block the entry or exit of electromagnetic interference (EMI) and radio frequency interference (RFI) through openings in the apparatus.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/044,053
		Filing Date	January 11, 2002
		First Named Inventor	Miska, Stanley R.
		Art Unit	3729
		Examiner Name	CHANG, RICK KILTAE
Total Number of Pages in This Submission		Attorney Docket Number	85917.000318

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) – Transmittal of Formal Drawings after Allowance, two Replacement Sheets, and enclosures as stated in document. <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Correction of Title as Amended and enclosures as stated in document; Return Postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Donna P. Suchy, Reg. 47,979, HARTER, SECREST & EMERY LLP
Signature	
Date	January 31, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed name	Carol Austin		
Signature		Date	January 31, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



DOCUMENT
JAN 16 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMES APPLICANT	ATTORNEY DOCKET NUMBER
10/044,053	01/11/02	Stanley R. Miska	85917.000318

Stephen B. Salai, Esq.
Harter, Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, NY 14604-2711

Examiner
Chang
Art Unit
3729

Paper Number

*Correct Drawings:
March 7, 2005*

Date Mailed: 01-07-05 ✓

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 1/11/02 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

ANHDAO DOAN
703 - 305 - 0896

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 1/11/02 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. **DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. **PHOTOGRAPHS.** 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. **TYPE OF PAPER.** 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____

4. **SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. **MARGINS.** 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) _____
☐ Top (T) _____ Left (L) _____
☐ Right (R) _____ Bottom (B) _____

6. **VIEWS.** 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) _____

7. **SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. **ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. **SCALE.** 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. **CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-7

11. **SHADING.** 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____
☐ Solid black shading not permitted. Fig(s) _____

12. **NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1-7
☐ Figure legends are poor. Fig(s) _____
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-7

13. **LEAD LINES.** 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. **NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. **NUMBERING OF VIEWS.** 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. **DESIGN DRAWINGS.** 37 CFR 1.152

☐ Surface shading shown not appropriate. Fig(s) _____
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer R.D.

If you have questions, call (703) 305-8404.

Date 1/6/05

Attachment to Paper No. _____

Notice of Allowability

Application No.

10/044,053

Examiner

Rick K. Chang

Applicant(s)

MISKA, STANLEY R.

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to the entered amendment filed on 8/16/04.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 1/11/02, 8/16/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RICHARD CHANG
PRIMARY EXAMINER

REMARKS

Applicant thanks the examiner for his continued attention to the application and for the indication the Claims 3 –5 are allowed. Applicant has made additional amendments to claim 1 to even more particularly point out and distinctly claim the invention. The essential difference between applicant's invention and the references can be most clearly seen by referring to figure 5 of the present application and figure 4 of Miska. It can be seen from Miska that if the element 30 which corresponds to applicant's adjacent conductive metal surface, abrades the coating 52 on the surface of element 42 a discontinuity will be created thereby impairing the shielding effect of the gasket. In applicant's invention, to the contrary, as shown in figure 5, even if the conductive coating is completely abraded from the top of the peak, the adjacent conductive metal surface continues to contact the coating on the outwardly sloping sides of the peak and there is no break in the electrical continuity across the peak.

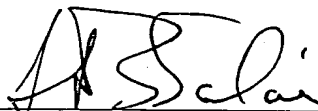
Applicant has amended Claim 1 to specifically recite that at least one peak is characterized by opposed outwardly sloping sides that converge toward the generally flat top, as specifically shown in figure 5 and to recite that if the metal coating is abraded from the top of the peak, contact will be maintained between the coating on the opposed outwardly sloping side and the adjacent metal surface.

In the interest of candor and full disclosure, applicant notes that this effect would appear to exist in Miska in the areas designated "A" on the attached copy of figure 4 of Miska, but would not occur in the areas designated "B" and continuity would not be maintained. Also, continuity would not be maintained in the case where there was abrasion of the opposite surface of Miska.

Each of the matters raised in the Office Action having been addressed, reconsideration and favorable action are requested.

Dated: August 13, 2004

Respectfully submitted,



Stephen B. Salai, Reg. No: 26,990
HARTER, SECREST & EMERY LLP
1600 Bausch & Lomb Place
Rochester, New York 14604
Telephone: 585-232-6500
Facsimile: 585-232-2152

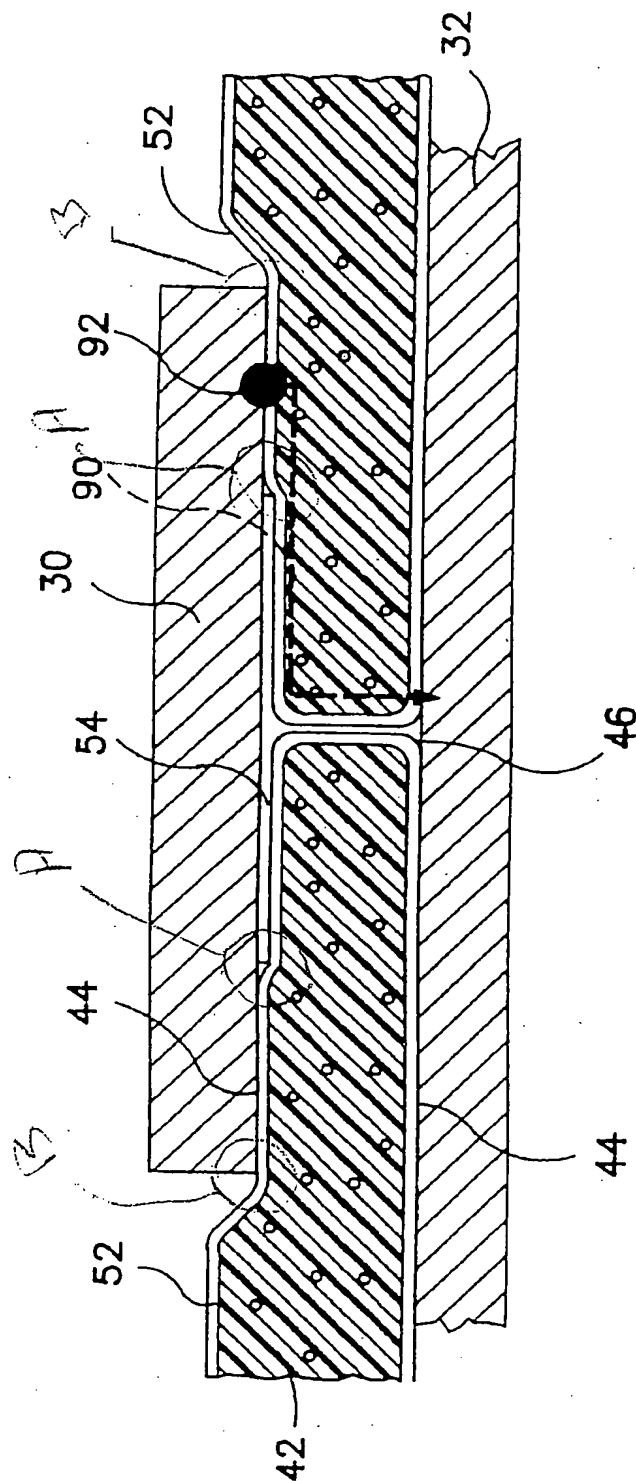


FIG. 4

● PRINTER RUSH ●
(PTO ASSISTANCE)

He Pat. Rev

Application: <u>10044053</u>	Examiner: <u>Chang R</u>	GAU: <u>3729</u>
From: <u>JLB</u>	Location: IDC <u>FMF</u> FDC	Date: <u>12-30-2004</u>

Tracking #: Week Date:

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input checked="" type="checkbox"/> <u>DRW</u>	<u>08-16-2004</u>	
<input type="checkbox"/> OATH		
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE: Newly submitted figure 4 (dated 8/16/04) cannot be
substituted because the original figure 4 shares the same pagewith
three (3) additional figures. Please Resolve.

Thank You, JLB

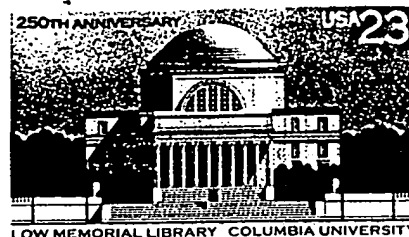
[XRUSH] RESPONSE: _____

PTO-948-B issued Requesting formal
drawings-

INITIALS: AD

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04



HARTER, SECREST & EMERY LLP
1600 BAUSCH & LOMB PLACE
ROCHESTER, NY 14604-2711

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

January 31, 2005

ATTENTION: OFFICE OF PUBLICATION

Applicant: Miska, Stanley R.
Serial No.: 10/044,053
Date Filed: January 11, 2002
Title: METHOD FOR MAKING AN ABRASION RESISTANT
CONDUCTIVE FILM AND GASKET

Receipt of: Transmittal of Formal Drawings after Allowance, two Replacement
Sheets, with enclosures as stated in document; Request for Correction of Title as
Amended with enclosures as stated in document; Transmittal Form; and Return
Postcard is hereby acknowledged.

Schlegel Systems, Inc. 85917.000318DP5

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